

7 FAM 890 UNUSUAL NOTARIAL REQUESTS

*(CT:CON-110; 09-13-2005)
(Office OF Origin: CA/OCS/PRI)*

7 FAM 891 INTRODUCTION

(CT:CON-110; 09-13-2005)

This subchapter addresses frequently asked questions about unusual instruments presented to consular officers for notarization or authentication. For further guidance, contact CA/OCS/PRI via cable, fax, email or at ASKPRI@state.gov.

7 FAM 892 MEDALLION SIGNATURE GUARANTEES – NOT A NOTARIAL SERVICE

(CT:CON-110; 09-13-2005)

CA/OCS is aware that posts often are asked to perform a service known as a "medallion signature guarantee" or a "medallion stamp guarantee." You are **not/not authorized** to provide a signature guarantee/medallion guarantee service. Only a financial institution participating in a U.S. Securities and Exchange Commission (SEC) medallion signature program is authorized to affix a medallion imprint.

7 FAM 892.1 What is a Medallion Signature Guarantee?

(CT:CON-110; 09-13-2005)

A medallion signature guarantee is **not a notarial service**. It should not be confused with a corporate acknowledgement executed by a corporate officer before a notary public or U.S. State Department notarizing official authorized to administer oaths. A medallion signature guarantee is a special signature guarantee for the transfer of securities. It is a guarantee by the transferring financial institution that the signature is genuine and the financial institution accepts liability for any forgery. Signature guarantees protect shareholders by preventing unauthorized transfers and possible investor losses. They also

limit the liability of the transfer agent who accepts the certificates.

7 FAM 892.2 Who Can Execute a Medallion Signature Guarantee?

(CT:CON-110; 09-13-2005)

When selling or transferring securities, the signatures of investors on stock certificates must be "guaranteed" by a financial institution participating in a medallion program approved by the U.S. Securities and Exchange Commission (SEC). An eligible guarantor institution (bank, stock broker, savings and loan association or credit union) must have a membership in an approved signature guarantee medallion under SEC Rule 17ad-15. Entities with membership in an approved signature guarantee medallion program must arrange a surety bond and apply for, and receive, acceptance as a program guarantor. The guarantor institution must then obtain the necessary equipment required to perform the medallion signature guarantee function.

7 FAM 892.3 Are Consular/Notarizing Officers Authorized to Perform Medallion Signature Guarantees? No!

(CT:CON-110; 09-13-2005)

U.S. Consular/Notarizing officers are **not/not authorized** to provide signature guarantee/medallion guarantee service. Only a financial institution participating in an SEC medallion signature guarantee program is authorized to affix a medallion imprint. No other/no other form of signature verification can be accepted to transfer securities.

7 FAM 892.4 Questions

(CT:CON-110; 09-13-2005)

Persons who request posts to perform signature guarantee/medallion guarantee services may be referred to local branches of U.S. banks, brokers or attorneys. Alternatively, they may contact the SEC directly via the internet, via phone at 1-800-SEC-0330 (investor assistance and complaints), via fax at 202-942-7040, or by mail at Mail Stop 11-2, 450 Fifth Street N.W., Washington, DC, 20549.

See ...

SEC – Signature Guarantees – Preventing the Unauthorized Transfer of Securities

7 FAM 893 NOTARIZATION COPIES OF PASSPORTS, NATURALIZATION CERTIFICATES AND CERTIFICATES OF CITIZENSHIP

(CT:CON-110; 09-13-2005)

- a. There is no prohibition against photocopying or certification of true copies of the identity page of a U.S. passport.
- b. 18 U.S.C. 1426 prohibits making prints or photographs of a certificate of arrival, declaration of intention to become a citizen, or certificate of naturalization or citizenship. Department of Homeland Security (DHS) advises that this prohibition does not apply to copies made for use in Department of State records or DHS FOIA/PA requests.

See ...

How Do I Replace My Certificate of Citizenship or Naturalization?

Obtain Copies of Passport Records

7 FAM 894 NOTARIZATION OF WORLD SERVICE AUTHORITY RELATED DOCUMENTS

(CT:CON-110; 09-13-2005)

- a. Requests for notarial services respecting these booklets or applications for them should be declined under 22 CFR 92.9(b) ("inimical to the best interests of the United States").
- b. The U.S. Department Authentications Office (A/OPR/GSM/AUTH) also declines to provide such services under 22 CFR 131.2.
- c. See 7 FAM 1300 Passport Services for further guidance regarding documents that do not constitute passports under 8 U.S.C. 1101(a)(30).

7 FAM 895 DOCUMENTS THAT PURPORT TO RELATE TO ALLEGIANCE, SELF-DECLARED NATIONALITY, ABSENCE OF U.S. JURISDICTION, SOVEREIGNTY, IMMUNITY

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- a. Documents from “14th Amendment Protestors” purporting that the United States has no jurisdiction over them, that they are their own sovereign nation, that they have universal immunity, or self-declared nationality should not be notarized or authenticated by U.S. diplomatic or consular officers 22 CFR 92.9(b) (“inimical to the best interests of the United States”).
- b. The U.S. Department of State Authentication Office (A/OPR/GSM/AUTH) declines to authenticate such documents under the authority provided in 22 CFR 131.2.
- c. Questions should be directed to CA/OCS/PRI via cable, phone, fax or email (ASKPRI@state.gov).

7 FAM 896 PROCTORING EXAMS

(CT:CON-110; 09-13-2005)

At posts’ discretion, you may agree to proctor federal and state examinations for which the applicable hourly rate should be charged according to 22 CFR 22.1. Fees for notarial services required in connection with this practice should be charged in addition to the hourly rate.

7 FAM 897 CRIMINAL RECORD CHECKS

(CT:CON-110; 09-13-2005)

U.S. nationals can obtain criminal records checks from their local police in their state of residence in the United States. In addition, see the CA Internet Page Criminal Record Checks feature, which explains how private citizens can request an FBI records check. The FBI advises that once the search is conducted the report belongs to the bearer and can be affixed with an Apostille after the bearer executes a “custodian certification statement. (See 7 FAM 862, Certifications of True Copies.)

See ...

CA Internet Page Criminal Record Checks feature.

FBI Identification Record Request.

7 FAM 898 THROUGH 899 UNASSIGNED